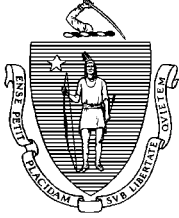


Docket Number: **SD02218**

[SIMILAR MATTER FILED DURING PAST SESSION
SEE NO. OF]



The Commonwealth of Massachusetts

IN THE YEAR OF TWO THOUSAND AND SEVEN

AN ACT ESTABLISHING THE COMMONWEALTH CORPS

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. The general court finds that:

2 (a) The commonwealth has a strong history of community service, volunteerism, and civic
3 action.

4 (b) Continuing this tradition, the commonwealth should address its most urgent challenges
5 and reinvigorate its civic life by creating a Commonwealth Corps. This Corps will challenge its
6 members to find solutions for many of the commonwealth's most serious problems and unmet public
7 needs.

8 (c) Commonwealth Corps members will dedicate a year of their lives to community service.

9 The Commonwealth Corps will unleash the tremendous potential of voluntarism, transforming the
10 lives of those who serve and those who are served. It will also create and strengthen the bonds of
11 common purpose that unite our communities, bridging barriers of race, class, age, language and
12 education. By establishing a new paradigm for large-scale, locally-managed service projects, the
13 commonwealth will lead the nation by renewing civic vitality while at the same time fulfilling its
14 boldest aspirations.

15 (d) In addition to the tremendous benefits of citizen service, research shows that community
16 service-learning helps to meet the goal of education reform by improving student learning, enhancing
17 student performance, and promoting the ethic of service. The commonwealth benefits from tapping
18 into the experience, expertise and successes of students, faculty, and staff of the higher education
19 service community, and therefore the commonwealth should also develop a statewide pilot
20 Commonwealth Student Corps. This pilot Commonwealth Student Corps program will be
21 established to maximize the spirit of volunteerism, engage students in their communities, identify the
22 needs of the state, and replicate successful models.

23 SECTION 2. Section 121 of chapter 6 of the General Laws is hereby repealed.

24 SECTION 3. Sections 209 to 213, inclusive, of said chapter 6 are hereby repealed.

25 SECTION 4. The General Laws are hereby amended by inserting after chapter 6A the following
26 chapter:

27 CHAPTER 6C.

29 Section 1. This chapter shall be known and may be cited as the “Commonwealth Corps Law.”

30 Section 2. (a) As used in this section, the following terms shall have the following meanings:

31 "Commonwealth Corps projects", the entities created in this chapter that host Corps members in
32 projects that provide service to underserved communities throughout the commonwealth.

33 "Corps members", individuals who commit to no more than 12 months of full- or part-time service in
34 the Commonwealth Corps under this chapter.

35 "Commonwealth Student Corps", the organization created in this chapter as a pilot program to
36 increase opportunities for students to participate in real world applied learning through curriculum-
37 based service activities.

38 "Community Service-Learning", a pedagogical approach to learning and a methodology for teaching,
39 incorporating the study of local community problems and larger social issues into the classroom
40 curriculum, using real world scenarios as the basis for learning curricular content and developing
41 skills including, but not limited to critical and creative thinking, problem solving, reasoning,
42 communications and collaboration skills.

43 "Council", the Community Service-Learning Advisory Council established by section 8.

44 “Massachusetts Campus Compact”, a membership organization of college and university presidents
45 leading Massachusetts institutions of higher education in building a statewide collaboration to
46 promote service as a critical component of higher education;

47 "Massachusetts Service Alliance" or "MSA", the non-profit corporation organized under chapter 180
48 and its successors.

49 "Public higher education institutions", the institutions mentioned in section 5 of chapter 15A.

50 "Unmet community needs", underserved populations and geographical areas in the commonwealth.

51 Section 3. There shall be a Commonwealth Corps commission, referred to in this chapter as the
52 commission, which shall constitute the state oversight body for the programs to be established under
53 this chapter. The commission shall consist of not more than 11 members who shall be appointed by,
54 and who shall serve at the pleasure of, the governor. Commission members shall not be paid for their
55 services, but may be reimbursed for reasonable expenses, and they shall not be state employees for
56 purposes of chapter 268A. The commission shall be within, but not subject to the control of, the
57 office of the governor.

58 Section 4. (a) The MSA, operating under contract with the commission, shall administer the
59 Commonwealth Corps. The MSA shall:

60 (1) provide personnel as necessary to carry out the purposes of this chapter;

61 (2) develop criteria for non-profit organizations and public entities, including schools and
62 educational institutions, seeking to participate in the Commonwealth Corps;

63 (3) recruit organizations to serve as hosts for Commonwealth Corps members in full-time or
64 part-time service activities, which shall not exceed 12 months' duration;

(4) review and select from grant applications of non-profit organizations and public entities (including schools and educational institutions) seeking to participate in the Commonwealth Corps;

(5) set criteria and procedures for recruiting corps members who are residents of the state and are 18 years or older;

(6) establish procedures for matching corps members with appropriate public agencies and available service projects;

(7) develop general enrollment guidelines for placement of members in Commonwealth Corps projects to establish appropriate authority for hiring, firing, grievance procedures, and enrollment standards which are consistent with state and federal law;

(8) determine the appropriate financial match support levels by private business, community groups, foundations, public agencies, and individuals;

(9) assist Commonwealth Corps projects in the development of scholarships and matching funds from private and public agencies, individuals and foundations in order to support a portion of the enrollee's stipend and benefits;

(10) monitor corps members and Commonwealth Corps projects for compliance with this chapter and compliance funding agreements;

(11) encourage host programs to provide assistance support to full-time corps members seeking to defer federally funded student loan payments during their period of service.

84 (b) The MSA shall evaluate applications and award grants to Commonwealth Corps projects
85 that best meet the following criteria:

86 (1) address a well established unmet community need;

87 (2) articulate measurable goals for the overall program, including an assessment of the
88 personal impact of members' service and the impact of the project on the targeted
89 community;

90 (3) provide services to communities and organizations throughout the Commonwealth;

91 (4) do not use Commonwealth Corps members to replace previously budgeted positions or
92 be used to reduce overtime, hours of work, or opportunities for advancement of
93 government or non profit entities sponsoring members.

94 (5) address one or both of the following:

95 (i) Direct-service projects shall give corps members opportunities to provide
96 direct services that address unmet community needs including, but not
97 limited to, those pertaining to education, public health, public safety, the
98 environment, and other human needs. Some examples include: tutoring
99 or mentoring; providing health care education; providing services to the
100 homeless; and enhancing historic, cultural, and natural resources of the
101 state, environmental restoration, emergency preparedness and response;
102 or

103 (ii) Volunteer-generation projects shall give corps members the opportunity
104 to recruit, train and support volunteers to participate in civic projects and
105 to meet community needs.

106 Section 4. (a) The MSA shall require host projects to select Corps members who are at least 18 years
107 of age, residents of the state, legally authorized to work in the United States, and who are not for
108 medical, legal or psychological reasons incapable for service. The MSA shall ensure selection of
109 corps members is made in accordance with the Americans with Disabilities Act and chapter 151B.
110 Host projects shall make an effort to enroll individuals who are economically, geographically,
111 ethnically, socially, physically, or educationally diverse. The following guidelines apply to eligible
112 participants:

- 113 (1) members may serve either full- or part-time;
- 114 (2) members shall undertake meaningful service projects with visible public benefits in areas
115 including but not limited to the environment, education, health and basic human services;
- 116 (3) members who will have direct contact with minor children or vulnerable adults will be
117 required to pass a background check as identified by the MSA.

118 (b) Placements in the Commonwealth Corps shall be the responsibility of the host programs with
119 support from the MSA. Efforts shall be made to ensure that Corps members are placed with
120 Commonwealth Corps projects that match their interests, geographic constraints, skills, and abilities.
121 The MSA may prescribe such additional standards and procedures in consultation with
122 Commonwealth Corps projects as may be necessary in conformance with this chapter. In addition,
123 the host programs may enroll individuals who choose to defer a stipend to serve as a corps member.

124 Section 6. The Commonwealth Corps projects shall provide members the following, subject to
125 approval or waiver by MSA:

- 126 (a) opportunities to develop citizenship values and skills through service to members'
127 communities and the commonwealth;
- 128 (b) stipends prorated for the hours served;
- 129 (c) healthcare benefits for the member;
- 130 (d) child-care for dependent children;
- 131 (e) leadership training;
- 132 (f) reimbursement for service related travel expenses;
- 133 (g) structured and supervised project experience;
- 134 (h) specialized training and support to enable individuals to carry out their service duties;
- 135 (i) worker's compensation coverage for any service project related injuries.

136 Section 7. Commonwealth Corps projects shall submit data to the MSA verifying compliance with
137 the program requirements on an annual basis or more frequently if MSA so requires. Based in part
138 on these data, the MSA shall prepare an annual report to the commission, which shall include but not
139 be limited to, the following:

- 140 (i) a financial statement summarizing its expenditures and available funds;
- 141 (ii) the number of projects and proposed placements submitted to it;
- 142 (iii) the number of volunteers generated;
- 143 (iv) the number of hours served;
- 144 (v) the number of service beneficiaries;

- 145 (vi) a description of approved projects and a summary of the work completed;
- 146 (vii) a measure of outputs and outcomes.

147 COMMONWEALTH STUDENT CORPS

148 Section 8. (a) The commission shall appoint a community service-learning advisory council
149 consisting of not less than 10 nor more than 30 members. These persons shall represent a wide range
150 of professions and institutions involved in education and community service, which shall include but
151 not be limited to teachers, superintendents, counselors, students, school board members, independent
152 agency representatives, business community members, higher education faculty members, college
153 and university presidents, and at least 1 MSA board member, 1 Massachusetts Campus Compact
154 member, 1 union representative and 1 program coordinator. The commission shall designate a chair
155 of the council from among the council's members.

156 (b) Subject to appropriation, the council shall have the responsibility and authority to:

- 157 (i) conduct studies and accredited projects to be approved by the MSA;
- 158 (ii) deliver reports on the progress of the Commonwealth Student Corps program to the
159 governor and general court as appropriate;
- 160 (iii) apply to private sources and the federal government for grants to implement studies and
161 fund accredited service projects; deposit funds received from those sources in a separate
162 account at the department of each participating state college or university; and expend such
163 funds for the purposes set forth in this section;

(iv) enter into agreements with other entities as allowed by law for the purposes of implementing this act;

(v) study the feasibility of utilizing the services of retired professionals and other licensed and certified professionals.

Section 9. (a) The commission, with the advice of the council, shall establish through the MSA a pilot Commonwealth Student Corps program to expand opportunities for students of environmental professions, students of educational professions, students of public health professions, students of public safety professions, educators, practitioners, and active and retired certified professionals to participate in public service projects that help meet critical community needs. This program shall be designed to expand and coordinate public and private resources that promote community service by connecting supervised students with professionals in service projects that are consistent with students' areas of studies.

(b). The pilot Commonwealth Student Corps program shall be administered through the MSA at no more than 5 state or community colleges or campuses of the University of Massachusetts and shall take place over a 3-year period. Upon completion of the pilot program, the MSA and the advisory council, with the input of public higher education institutions, shall evaluate the pilot's success and make recommendations to the governor on the continued implementation of the curriculum based community service programs. The governor may extend service learning beyond the period of the 3-year pilot, and to other public institutions of higher education and to public elementary and secondary schools of the commonwealth.

184 (c). The council shall work in coordination with the Massachusetts Campus Compact to review
185 opportunities for students to be matched with accredited service sites. The MSA in cooperation with
186 the Massachusetts Campus Compact shall develop criteria for the accreditation of these service sites.

187 (d). The purpose and goals of the curriculum-based pilot Commonwealth Student Corps shall be to:

188 (1) increase opportunities for students throughout the commonwealth to participate in real-
189 world applied learning through curriculum-based service activities;

190 (2) help address the state's community needs;

191 (3) strengthen communities through service;

192 (4) enhance the ethic of service; and

193 (5) provide students academic credit for participation in service learning projects.

194 Section 10. The MSA shall file with the council, on or before January 1 each year, a report of all
195 Commonwealth Student Corps programs, schools participating in the Commonwealth Student Corps,
196 community service-learning activities, the Commonwealth Student Corps activities, and the progress
197 of other community service and volunteer projects, as well as any other pertinent service data as
198 determined by the council.

199 Section 11. (a) The MSA shall establish guidelines for projects and activities to reform, expand,
200 replicate and implement community service and volunteer opportunities in the commonwealth. The
201 projects and activities shall be coordinated among state departments and agencies to optimize the
202 allocation of resources. The commission may adopt regulations to implement this section.

203

204 (b). The MSA membership shall meet the requirements of 42 U.S.C. 12638.

205

206 (c). The MSA's duties and responsibilities, under its contract with the commission, shall include but
207 not be limited to the following:

208

209 (1) fulfilling the requirements of a state commission or alternative administrative entity under
210 42 U.S.C. 12638;

211 (2) administering the Commonwealth Corps and the Commonwealth Student Corps;

212 (3) coordinating the advice of and providing counsel to other state agencies and organizations
213 using community service and volunteerism as a strategy to assist in the solution of local,
214 regional and statewide problems;

215 (4) initiating and carrying out studies and analyses of proposed and implemented service and
216 volunteer projects, which will aid in solving local, regional, and statewide problems;

217 (5) evaluating current service learning projects in the commonwealth's public schools and
218 making recommendations to the governor for the expansion of existing programs;

219 (6) serving as an advocate for the needs of volunteers;

220 (7) recommending expansion of Corps opportunities to address all community needs, such as
221 education, environment, public safety, public health and employment and training;

(8) acting as a clearinghouse for information, data, and other materials relative to community service and volunteer opportunities;

(9) ensuring the coordination of community service and service corps operating in the commonwealth;

(10) encouraging the corporate community of the commonwealth to become an active partner in the support, advocacy and promotion of community service and volunteer opportunities in the commonwealth;

(11) requesting the assistance and participation of any department, division, bureau, commission or agency of the commonwealth in order to carry out its duties;

(12) advising and informing the general court and governor about the affairs and problems of community service and volunteer opportunities in the commonwealth;

(13) developing mechanisms to encourage, promote and support projects that offer community service and volunteer opportunities in the commonwealth for volunteers who are 55 years of age or older.

SECTION 5. Section 13 of chapter 19A of the General Laws is hereby repealed.

SECTION 6. Chapter 29 of the General Laws is hereby amended by inserting after section 31E the following section:-

Section 31F. A member of the Commonwealth Corps or the Commonwealth Student Corps shall not be entitled to benefits such as retirement or unemployment benefits, nor shall a member be an

241 employee of the commonwealth. A municipality shall not be held liable for any claim arising out of a
242 community service program. Service opportunities shall not replace existing state employees of the
243 sponsoring project site.

244 SECTION 7. Chapter 78A of the General Laws is hereby repealed.

245